



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

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Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 096-217, WILLIS WHARF AND VICINITY

EFFECTIVE 11 SEPTEMBER 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

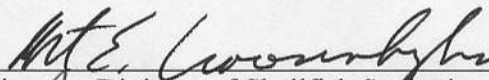
1. The "Notice and Description of Shellfish Area Condemnation Number 096-217, Willis Wharf and Vicinity," effective 2 October 2007, is cancelled effective 11 September 2008.
2. Condemned Shellfish Area Number 096-217, shown as Sections A and B, is established effective 11 September 2008. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas, for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Willis Wharf and Vicinity, Condemned Shellfish Area Number 096-217, 11 September 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 096-217, shown as Sections M1 and M2 is hereby established effective 11 September 2008, for the period September 11, 2008, through October 31, 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Willis Wharf and Vicinity, Condemned Shellfish Area Number 096-217, 11 September 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 096-217

- A. The condemned area shall include that portion of Parting Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°31'35.3", -75°47'32.0") and map coordinate (37°31'28.3", -75°47'23.2").

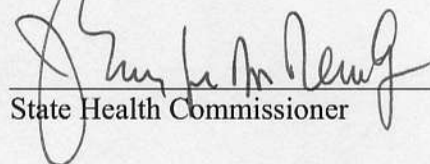
- B. The condemned area shall include all of Upshur Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°28'26.5", -75°48'51.3") and map coordinate (37°28'24.9", -75°48'50.8").
- M1. The condemned area shall include all of that portion of the Parting Creek and its tributaries lying upstream and inland of a line drawn from latitude/longitude map coordinate (37°30'25.7", -75°48'16.8") to map coordinate (37°30'27.8", -75°48'06.4") and upstream and inland of a line drawn from map coordinate (37°30'27.4", -75°47'58.3") to map coordinate (37°30'27.4", -75°47'57.9"), as well as downstream and inland of a line drawn from map coordinate (37°31'06.2", -75°48'11.0") to map coordinate (37°30'50.9", -75°48'03.8"); but excluding the area defined by Section C.
- M2. The condemned area shall include all of the unnamed harbor on the Machipongo River across from Greens Creek lying inland of a line drawn from latitude/longitude map coordinate (37°28'55.6", -75°48'01.9") to map coordinate (37°28'54.2", -75°48'02.6").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

8/27/08

Date

**Virginia Department of Health
Willis Wharf and Vicinity
Condemned Shellfish Area 096-217
11 September 2008**

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